

7 APR 1983

MEMORANDUM FOR: Chief, Policy and Plans Group

FROM: [REDACTED]

C/PB/PPG

SUBJECT: ISOO Meeting on Nondisclosure Agreements -  
4 April 1983

1. On 4 April 1983 the writer attended a meeting on Subject at the request of [REDACTED] DD/P&M. The meeting was held at 1000 hours in the 6th Floor Conference Room at GSA Headquarters, 19th and F. Streets N.W., Washington, D.C. The

2. The meeting was chaired by Mr. Steve Garfinkel, who is the Government's Information Security Oversight Office Director. Mr. Garfinkel opened the meeting by explaining that its purpose was to reach a consensus on three documents ... a nondisclosure agreement for Sensitive Compartmented Information (SCI), one for Collateral classified information, and a prepublication review agreement for Collateral classified information. (The latter document would be used only by agencies which chose to do so. There is no requirement in NSDD No. 84 for prepublication review of purely Collateral classified information.)

3. Because [REDACTED] was the brains behind the CIA Form 4193 after which the new SCI nondisclosure agreement is modeled, Mr. Garfinkel turned to [REDACTED] for explanations of the items which the ISOO had questioned (these were specified on the spread sheets which had been distributed to attendees on 25 March 1983.) [REDACTED] did an excellent job of defending the rationale behind the choice of terms used in all three agreements. In particular, he provided amended verbiage to include Collateral classified information in the SCI nondisclosure agreement as specified in NSDD No. 84.

4. It was clear from the comments of the Department of State representative that State is less than enthusiastic about the new nondisclosure agreements, and the DoD representative was not too keen on the prospect of perhaps re-briefing some 95,000 SCI-approved personnel so that they would be covered on the Collateral side. Minor changes were recommended for the SCI and Collateral agreements. The separate prepublication review agreement for Collateral classified information was left as is.

Interestingly, the State Department wanted paragraph 3 of that agreement changed. (That's the paragraph that says the signer is making the agreement "without any mental reservation or purpose of evasion.") State was not happy with the words "without any mental reservation."

5. At the conclusion of the meeting,  agreed to work with Mr. Garfinkel to get revised drafts of the nondisclosure agreements out to the agencies concerned. This task will hopefully be completed by 8 April 1983. Following that last coordination, the agreements will be forwarded to the Attorney General for a ruling on their enforceability in a court of law.

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*Director of Security*  
*12 April 1983*

## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

ISOO Meeting on Nondisclosure Agreements - 4 April 1983

FROM:

C/PB/PPG

EXTENSION

NO.

DATE

7 APR 1983

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. C/PPG

4/5/83

X

2. DD/P&amp;M.

10 APR 1983

4/8

L

3. D/LOS

8 APR 1983

10 APR 1983

X

4.

14 Apr 1983

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